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PTO/SB/21 (09-04)

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|   |                      |                        |              |
|---|----------------------|------------------------|--------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/826,880             |              |
|   | Filing Date          | April 13, 2994         |              |
|   | First Named Inventor | BLATT, Joel M., et al. |              |
|   | Art Unit             | 1641                   |              |
|   | Examiner Name        | Unknown                |              |
| Total Number of Pages in This Submission  | 8                    | Attorney Docket Number | XMET-1035039 |

| ENCLOSURES (Check all that apply)  |  |  |
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>PTO/SB/08a; PTO/SB/08b; 15 cited foreign references; 13 cited publications; return receipt Postcard |
| Remarks  |  |  |

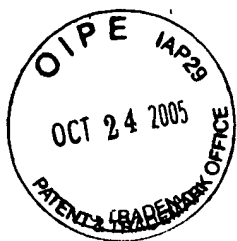
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                             |          |        |
|--|-----------------------------|----------|--------|
| Firm Name                                  | Lin Yu<br>Gordon & Rees LLP |          |        |
| Signature                                  |                             |          |        |
| Printed name                               | Lin Yu                      |          |        |
| Date                                       | October 21, 2005            | Reg. No. | 57,083 |

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| Signature   |                    |      |                  |
| Typed or printed name   | Jose R. Lopez, Jr. | Date | October 21, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

BLATT, Joel M., *et al.*

Serial No.: 10/826,880

Filed: April 19, 2004

For: DRY REAGENT PARTICLE ASSAY  
AND DEVICE HAVING MULTIPLE TEST  
ZONES AND METHOD THEREFOR

Customer No.: 27111

Confirmation No.: Unknown

Group Art Unit: 1641

Examiner: Unknown

Docket No.: XMET-1035039

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON October 21, 2005.

Jose R. Lopez, Jr.  
Jose R. Lopez, Jr.

**SECOND INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Forms PTO/SB/08a and PTO/SB/08b with the exception of United States published applications and issued patents for consideration by the Examiner.

This Information Disclosure Statement is submitted:

☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.

☐ A fee is required. A check in the amount of \* is enclosed.


- ☐ A fee in the amount of \_\_\_\_\_ is required. Please charge Deposit Account No. 50-1990 in the amount of \$ \_\_\_\_\_. A duplicate copy of this paper is included herewith.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.

☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 50-1990 referencing XMET-1035039 and please credit any excess fees to such deposit account. However, the Commissioner for Patents is not authorized to charge the cost of the issue fee to the Deposit Account.

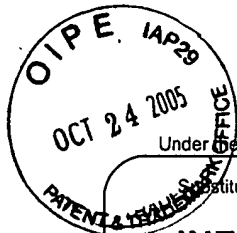
Respectfully submitted,

Dated: October 21, 2005

By:   
Lin Yu  
Registration No. 57,083

**Please recognize our Customer Number 27111  
as our correspondence address.**

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San Diego, California 92101-8217  
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Facsimile: (619) 696-7121  
Attorney Docket No. XMET-1035039



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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet

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of

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## **Complete if Known**

|                        |                               |
|------------------------|-------------------------------|
| Application Number     | 10/826,880                    |
| Filing Date            | April 19, 2004                |
| First Named Inventor   | BLATT, Joel M., <i>et al.</i> |
| Art Unit               | 1641                          |
| Examiner Name          | Unknown                       |
| Attorney Docket Number | XMET-1035039                  |

## **U. S. PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
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Sheet

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|                        |                        |
|------------------------|------------------------|
| Application Number     | 10/826,880             |
| Filing Date            | April 19, 2004         |
| First Named Inventor   | BLATT, Joel M., et al. |
| Art Unit               | 1641                   |
| Examiner Name          | Unknown                |
| Attorney Docket Number | XMET-1035039           |

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Sheet 3

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|--|---------------|------------|-----------------|--|
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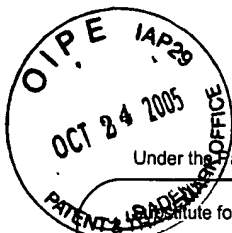
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>5</sup> |
|-----------------------|--------------------------|---|--------------------------------|--|---|----------------|
|                       |                          | Country Code <sup>3</sup> "Number" <sup>4</sup> "Kind Code" <sup>5</sup> (if known) |                                |  |   |                |
|                       |                          | CA 2019865 A1   | 01-12-1991                     | Thakore et al.                                     |   |                |
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|                       |                          | WO 9746868 A1   | 12-11-1997                     | Blatt et al.                                       |   |                |

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

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| Application Number     | 10/826,880             |
| Filing Date            | April 19, 2004         |
| First Named Inventor   | BLATT, Joel M., et al. |
| Art Unit               | 1641                   |
| Examiner Name          | Unknown                |
| Attorney Docket Number | XMET-1035039           |

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**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
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